

Town of East Hampton
Zoning Board of Appeals
300 Pantigo Road, East Hampton, NY 11937



APPROVED MINUTES OF MEETING

Date: September 29th 2015
Time Started: 6:30 p.m.

Members Present:

John P. Whelan, Chairman
Cate Rogers, Vice Chair
David Lys, Member
Lee White, Member

Not Present:

Don Cirillo, Member

Also Present:

Denise Savarese, Legislative Secretary
Elizabeth Baldwin, Counsel to the Board

Public Hearing:

6:50 PM - 239 LLC – SCTM# 300-42-2-12 – 239 Gerard Drive, Springs – Project description is to raise existing house to be compliant with Federal Emergency Management Agency (FEMA) regulations.

Chairman Whelan read the Notice of Public Hearing into the record. Receipts indicate property was noticed – don't have Affidavit of Service and Posting – Mr. Charles will bring paperwork into the office – Denise Savarese, Notary, will formalize document. Vice Chair Rogers conducted a field inspection of the site and reported her findings to the Board.

Drew Charles, appearing on behalf of the applicant noted they just wish to raise the existing house to meet FEMA guidelines so applicant can get it insured – prefer to keep the house where it is. Not opposed to re-doing septic system to code. Not trying to make the house bigger, can work with the applicant regarding upgrading the septic system but applicant can't afford moving house as well. Rather put monies available toward the septic system. Applicant is perfectly willing to work with the Town. Don't have the option of doing both.

Lisa D'Andrea, appearing on behalf of the Planning Department, referenced the Technical Analysis Memorandum and gave the history of the property which is extremely environmentally sensitive. Property is in the Harbor Protection Overlay District – House within Coastal Erosion Hazard Line - Area has suffered erosion over the years. Currently deck is 81 ft. from water and house is 88.9 ft. from the mean high water. There have been dynamic changes over the years by this beach. Aerial from '84 indicates dynamic changes over the years. After Hurricane Sandy suffered extreme erosion. Gerard drive peninsula is very flat – only protected feature in this area is the beach and vegetation – it is not highly protected.

Vice Chair Rogers made a motion to close the Public Hearing but leave the record open indefinitely – 1) Septic Engineers report 2) Engineers report that house is structurally sound 3) consultation with Planning Department for re-design – Member Lys seconded. All members were in favor.

7:10 PM -Kevin Oram & Iliana Pappas – SCTM# 300-176-5-18.1 – 5 Surf Drive, Amagansett – Project description is to demolish the existing residence and associated structures and construct a 3,864 sq. ft. residence, with a 648 sq. ft. attached garage, entry terrace, 1,539 sq. ft. rear terrace, approximately 1,145 sq. ft. driveway, and new sanitary system on a parcel of land containing freshwater wetlands.

Chairman Whelan read the Notice of Public Hearing into the record – Counsel Baldwin noted the Affidavit of Service & Posting was in order. Member Lys conducted a field inspection and reported his findings to the Board.

John Tarbet, Attorney, for the applicant – noted for the record this is a pre-existing non-conforming situation and applicant should not need a gross floor area variance as long as the rebuild is not more non-conforming 2) not proposing additional clearing 3) house will meet FEMA Guidelines 4) new house meets wetland setbacks 5) septic system is in the best location. Mr. Tarbet made himself available for questions.

Chris Coy, Architect for the applicant, agreed to submit scaled drawings, gross floor area current calculations for the proposed structure and elevations.

Susanna Herrmann – En-Consultants – appeared on behalf of the applicant – noted that the area designated for the septic system is the only location it can go, it would encroach on wetlands in any other location 2) all non-native plants will be removed and replaced with native vegetation.

Pat Gunn, Attorney, appearing on behalf of neighbors from 52 Wyandanch and 64 Wyandanch Road – Application is incomplete and the neighbors feel there is not enough information; would like to see scaled drawings and elevations.

Member Lys made a motion to close the Public Hearing and leave the record open for 1) scaled drawings 2) GFA current calculations of the proposed structure and 3) elevations. Vice Chair Rogers seconded. All members were in favor.

7:30 PM - ES Landing LLC – SCTM# 300-90-3-15.1 – 96 Northwest Landing Road, East Hampton – Project description is to demolish the existing residence and associated structures and construct a 3,274 sq. ft. residence, with a 540 sq. ft. shed, 621 sq. ft. swimming pool, and new sanitary system on a parcel of land containing freshwater wetlands. Vice Chair Rogers read the Notice of Public Hearing into the record – Counsel Baldwin noted the Affidavit of Service and Posting is in order. Member Lys conducted a field inspection and reported his findings to the Board.

Robert Connelly, Attorney, appearing on behalf of the applicant gave a chronological history of the property and made himself available for questions.

Pat Trunzo, Builder, appearing on behalf of the application talked about the soils; noted that the house was showing signs of distress, existing house did have a basement. Mr. Trunzo made himself available for questions.

Speakers who expressed concern about the application:

- 1) Donald Lehman – with wife Kathleen Griffin – 93 Northwest Landing Road
- 2) David DeMerest – 87 Northwest Landing Road
- 3) Antonio Pisciotta - Neighbor

Tyler Borsack, Planner, speaking on behalf of the Planning Department gave a history of the property; noted that the Board should require updated plans, and should request a copy of the Board of Health approval.

Member Lys made a motion to close the Public Hearing and leave record open for Board of Health approvals and separation calculations from the wall to the septic system. Member White seconded. All members were in favor.

Tabled Board Determination:

Appeal: SCTM# 300-189-4-10 – John and Eleanor Ecker – 76 Skimhampton Road, East Hampton – tennis court to be built on land cleared in excess of clearing limitations.

Board Determination:

Mark Philips – SCTM# 300-92-6-9 – 72 Oyster Shores Road, East Hampton – Revegetation Plan – Letter to be forwarded to the Building Department – Revegetation Plan is adequate.

Work Session:

Board Decision:

Gerard Point LLC – SCTM# 300-131-8-7 – 22 Shore Road, Amagansett – Project description is to construct a 4,320 sq. ft. two story residence with attached garage, terraces and walkways, porches decks, stairs, swimming pool, spa fence, driveway, walkway to the beach, new sanitary system with retaining wall, drywells, and to clear approximately 14,500 sq. ft. and revegetate approximately 4,000 sq. ft. of beach vegetation within the Town’s jurisdiction of dunes and beach vegetation. Public Hearing held August 4th 2015 – Record left open until October 4th 2015 – Member Lys made a motion to extend the public record to be left open until October 27th 2015 for the applicant and response time for neighbors until the 24th of November 2015.

Minutes:

Vice Chair Rogers made a motion to approve the Minutes of September 22nd 2015. Member Lys seconded. All members were in favor.

Adjourn:

Member Lys made a motion to adjourn the meeting at 9:37 p.m. Member White seconded. All members were in favor.

**John P. Whelan, Chairman
Zoning Board of Appeals**